



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

- ☒ **Preproposal Statement of Inquiry was filed as WSR 06-13-082 ; or**
☐ **Expedited Rule Making--Proposed notice was filed as WSR _____; or**
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR _____**
☐ **Continuance of WSR _____**

Title of rule and other identifying information: Chapter 296-17-WAC General Reporting Rules, Classifications, Audit and Recordkeeping, Rates and Rating System for Workers Compensation Insurance.
 By January 1, 2007, Chapter 165, Laws of 2006 (ESHB 1672) known as the Safe Patient Handling Law, requires the department to develop rules to provide a reduced workers compensation premium for hospitals that implement a safe patient handling program.

Hearing location(s):

Labor and Industries Offices, Room S118,
 7273 Linderson Way SW, Tumwater, WA 98501

Date: October 18, 2006 Time: 10 a.m.

Submit written comments to:

Name: Bill Moomau

Address: PO Box 44148, Olympia, WA 98504-4148

e-mail moom235@lni.wa.gov

fax (360)902-4729 by (date) 5 p.m., October 18, 2006

Assistance for persons with disabilities: Contact

Office of Information and Assistance by October 13, 2006

TTY (360) 602-5797 or () _____

Date of intended adoption: November 21, 2006

(Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

To comply with the Safe Patient Handling Law, Chapter 165, Laws of 2006 (ESHB 1672) the department is proposing to revise one existing hospital classification; create two new classification for acute care hospitals, one for hospitals with a fully implemented safe patient handling program and one for hospitals without a fully implemented safe patient handling program; create two new classifications for state government hospitals, one for hospitals with a fully implemented safe patient handling program and one for hospitals without a fully implemented safe patient handling program; to amend four state government personnel classifications regarding patient handling and to amend the special reporting instructions as they apply to safe patient handling.

Reasons supporting proposal: Labor and Industries is required by law to establish and maintain a workers' compensation classification plan that classifies all occupations or industries within the state and is permitted to review and make changes to the plan (RCW 51.16.035 and RCW 51.16.100).

This law was passed by the 2006 legislature requiring the department to create a reduced premium rate for hospitals complying with the safe patient handling law provisions.

Statutory authority for adoption:

RCW 51.16.035 and RCW 51.16.100

Statute being implemented:

RCW 51.16.035 and RCW 51.16.100

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE

September 5, 2006

NAME (type or print)

Gary K. Weeks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

WSR# 06-18-080

(COMPLETE REVERSE SIDE)

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Name of proponent: (person or organization) Department of Labor and Industries

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Renee Brady/Bill Moomau	Tumwater, Washington	(360) 902-4774
Implementation.... Ronald Moore	Tumwater, Washington	(360) 902-4748
Enforcement..... Robert Malooly	Tumwater, Washington	(360) 902-4209

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

In this case the agency is exempt from conducting a SBEIS since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.310(4)(f) and because the content of the rules is specifically dictated by statute described in RCW 34.05.310(4)(e).

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain: In this case, the agency is exempt from conducting a CBA since the proposed rules set or adjust fees or rates pursuant to legislative standards described in RCW 34.05.328(5)(b)(vi) and because the content of the rules is specifically dictated by statute described in RCW 34.05.328(5)(b)(v).